

# Delivered Meals Subsidy

No. 5 of 1970

An Act to provide for Assistance by the Commonwealth towards the provision of Delivered Meals for Aged and Invalid Persons.

[Assented to 15 April 1970]

**B**E it enacted by the Queen's Most Excellent Majesty, the Senate, and the House of Representatives of the Commonwealth of Australia, as follows:—

1. This Act may be cited as the *Delivered Meals Subsidy Act 1970*. Short title.
2. This Act shall come into operation on the day on which it receives the Royal Assent. Commencement.
- 3.—(1.) In this Act, unless the contrary intention appears— Interpretation.
  - “aged person” means a man who has attained the age of sixty-five years or a woman who has attained the age of sixty years;
  - “approved meal service” means a delivered meal service that is approved under section 5 of this Act;
  - “approved organization” means an eligible organization that is approved under section 5 of this Act;

“ delivered meal service ” means a service for the provision, wholly or mainly for aged persons or invalid persons or both, of meals that are delivered from the place at which they are prepared to the homes of the persons for whom they are intended or to other places at which it is convenient for those persons to consume them;

“ eligible organization ” means—

- (a) an organization (other than an organization conducted or controlled by, or by persons appointed by, the Government of the Commonwealth or of a State) that is carried on otherwise than for the purpose of profit or gain to its individual members and is—
  - (i) a religious organization;
  - (ii) an organization the principal objects or purposes of which are charitable or benevolent;
  - (iii) an organization of former members of the Defence Force established in every State or a State Branch of such an organization; or
  - (iv) an organization determined by the Minister to be an eligible organization for the purposes of this Act;
- (b) a local governing body; or
- (c) the trustees for the time being under a trust established for charitable or benevolent purposes, being a trust in relation to which the Minister has determined that the trustees constitute an eligible organization for the purposes of this Act,

and includes the trustee or trustees under a trust established by an organization referred to in paragraph (a) of this definition or by a local governing body;

“ invalid person ” means a person who is—

- (a) permanently blind; or
- (b) permanently incapacitated for work;

“ local governing body ” means a local governing body established by or under a law of a State or Territory of the Commonwealth;

“ the Director-General ” means the Director-General of Social Services.

(2.) A reference in this Act to a year to which this Act applies shall be read as a reference to the year that commenced on the first day of January, One thousand nine hundred and seventy, and each succeeding year.

**Purpose.**

4. The purpose of this Act is to assist in the establishment, expansion, improvement and maintenance of delivered meal services.

**Director-General's approvals**

5.—(1.) The Director-General may, for the purposes of this Act—

- (a) approve an eligible organization; and
- (b) approve a delivered meals service conducted by an eligible organization.

(2.) An approval under this section shall be given by instrument in writing.

(3.) The approval of a delivered meal service under this section takes effect, or shall be deemed to have taken effect, from a date specified in the instrument of approval, being a date not earlier than the commencement of the year next preceding the year in which the approval is given.

6.—(1.) Subject to this Act, the Director-General may, in his discretion, authorize the payment by the Commonwealth to an approved organization, in respect of a year to which this Act applies, of an amount calculated at the rate of Ten cents for each meal provided by that organization in the course of conducting an approved meal service in the immediately preceding year. Authorization of payments.

(2.) Where the Minister is satisfied that an organization that was, during the whole or part of a year to which this Act applies, an approved organization has ceased to exist before receiving a payment under this Act in respect of the next succeeding year, he may, by instrument in writing, direct that the meals provided by that organization in the course of conducting an approved meal service in the first-mentioned year shall be deemed, for the purposes of the last preceding sub-section, to have been so provided by such approved organization or organizations and in such proportions as between those organizations (if more than one) as he thinks fit.

7. A claim by an approved organization for a payment under this Act shall be made in such form and at such time as the Director-General determines. Claims for payment.

8. Moneys are not payable to an approved organization under this Act unless the organization has furnished to the Director-General such information relating to the conduct by the organization of approved meal services, including information relating to the expenditure of any moneys previously paid to that organization under this Act, as the Director-General requires. Information to be furnished.

9.—(1.) Payment of moneys to an approved organization under this Act may be made upon such terms and conditions, including conditions as to— Terms and conditions.

- (a) the conduct by the organization of approved meal services;
- (b) the use of those moneys; and
- (c) the keeping of accounts by the organization,

as the Director-General considers conducive to the purpose of this Act.

(2.) Before authorizing a payment to an approved organization under this Act, the Director-General may require the organization to enter into an agreement with him with respect to the terms and conditions upon which the payment is to be made.

Moneys to be  
paid out of  
National  
Welfare Fund.

10. Payments under this Act shall be made out of the Trust Account established under the *National Welfare Fund Act 1943-1952* and known as the National Welfare Fund.

Delegation.

11.—(1.) The Director-General may, either generally or otherwise as provided by the instrument of delegation, by writing under his hand, delegate to the Deputy Director-General of Social Services, a First Assistant Director-General of Social Services, an Assistant Director-General of Social Services, a Director of Social Services or any other officer of the Department of Social Services all or any of his powers and functions under this Act except this power of delegation.

(2.) A power or function so delegated may be exercised or performed by the delegate in accordance with the instrument of delegation.

(3.) A delegation under this section is revocable at will and does not prevent the exercise of a power or the performance of a function by the Director-General.

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